

**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
Approved By JLCB**

**DEPARTMENT:** Public Safety

**AGENDA NO.:** 1A

**AGENCY:** State Police

**ANALYST:** Travis McIlwain

<u>Means of Financing</u>		<u>Expenditures by Program</u>		<u>T. O.</u>
State General Fund:	\$0	Traffic Enforcement	\$146,275,928	0
Interagency Transfers:	\$0	Criminal Investigation	\$0	0
Self-Generated Revenue:	\$0	Operational Support	\$0	0
Statutory Dedications:	\$146,275,928	Gaming Enforcement	\$0	0
Federal Funds:	\$0	Auxiliary Account	\$0	0
<b>Total</b>	<b><u>\$146,275,928</u></b>	<b>Total</b>	<b><u>\$146,275,928</u></b>	<b><u>0</u></b>

**I. SUMMARY/COMMENTS**

The purpose of this BA-7 request is to increase statutory dedicated budget authority for the Natural Resource Restoration Trust Fund (\$112,960,765) and the Oil Spill Contingency Fund (\$33,315,163) within the LA Oil Spill Coordinator's Office (LOSCO) in order to fund the continued response, damage assessments and early restoration projects related to the Deepwater Horizon Event (April 20, 2010). The majority of the anticipated expenditures will be utilized to pay for scientists, clean up costs, litigation costs and other various ongoing expenditures related to the oil spill as well as fund early restoration projects currently appropriated in Act 25 (HB 2). See companion BA-7s B through K.

The specific LOSCO expenditures included in the BA-7 request are as follows:

\$436,440 Salaries - anticipated 3,592 overtime hours for 8 individuals working on BP Oil Spill related litigation and damage assessments (Natural Resource Damage Assessment - NRDA). NRDA is an environmental investigation by state designated trustees to identify impacts to natural resources and plan restoration of natural resources as a result of oil spills and hazardous substances.

\$448,680 Other Compensation - compensation funding split among 15 various temporary positions working that equates to 3 FTEs. The positions are attorneys, coastal resource program specialists and administrative support personnel all providing support to the oil damage assessment effort.

\$314,880 Related Benefits - various FICA costs incurred due to paying other compensation employees and overtime.

\$31,543,286 Other Charges - various contractors that provide damage assessment services including legal services, laboratory, analytical services and scientific services regarding the oil spill event and NRDA. The anticipated other charges expenditure amount is based upon prior year historical projections.

\$113,532,642 IAT Expenditure Category - Resources being sent to various state agencies to fund early restoration projects or to reimburse oil spill related expenditures at the Department of Natural Resources, CPRA, Department of Environmental Quality and Wildlife & Fisheries. State oil response and damage assessment expenditures are being funded with the Oil Spill Contingency Fund while early restoration projects and NRDA expenditures are being funded with the Natural Resource Restoration Trust Fund monies.

The majority of IAT expenditure category funds (\$78.1 M) are Natural Resource Restoration Trust Fund monies of which \$73.6 M is being sent to the CPRA for Early Restoration Projects (funded in capital outlay - Act 25) and \$4.6 M is being sent to Wildlife & Fisheries for an oyster hatchery early restoration project.

According to the CPRA, the \$73.6 M funded in Act 25 (HB 2) are broken down by project as follows: \$1.9 M - Lake Hermitage, \$1.5 M - Cheniere Ronquille Barrier Island Restoration, \$36.7 M - Shell Island West, \$31 M - Cailou Lake Headlands, \$2.5 M - North Breton Island. According to State Treasury, the current fund balance of the Natural Resource Restoration Trust Fund is approximately \$13.3 M. According to DPS, the early restoration projects are funded on a reimbursable basis. Thus, the expenditures must be incurred first before the expenditures are reimbursed by BP via this fund.

**July 18, 2014**

**LEGISLATIVE FISCAL OFFICE**  
**ANALYSIS OF BA-7 REQUEST**  
**Approved By JLCB**

The remaining IAT expenditure category funds (\$36.2 M) are being sent to various state agencies for reimbursement of costs incurred for state expenditure related to damage assessment (NRDA expenditures), litigation costs (Attorney General - ongoing BP litigation costs) and Pollution Removal Funding Authorization (PRFA). The PRFA is the federal authorization that allows the federal Oil Spill Liability Trust Fund to be utilized for reimbursement of costs incurred due to pollution response efforts.

Due to DPS being the lead agency for the State (as it contains the Oil Spill Coordinator's Office), state agencies submit reimbursement documents to DPS who then submit documents to the Federal Oil Spill Liability Trust Fund. Once the reimbursement request is approved, the funds are deposited in the Oil Spill Contingency Fund and DPS pays these funds to the various state agencies. According to DPS, NRDA specific reimbursement expenditures are paid from the Natural Resource Restoration Trust Fund. *See Table below for a complete breakdown included in the requested BA-7 by specific statutory dedicated fund and how much funding is anticipated to be expended by state agency.*

Agency	Natural Resource Restoration Trust Fund	Oil Spill Contingency Fund	Total
DEQ	\$18,587	\$681,513	\$700,100
DNR	\$20,000	\$0	\$20,000*
WLF	\$2,105,023	\$881,172	\$2,986,195
CPRA	\$16,221,166	\$1,000,925	\$17,222,091
DOJ	\$0	\$15,013,152	\$15,013,152
Office of Coastal Activities	\$230,000	\$0	\$230,000**
WLF (HB 2 Projects)***	\$4,578,570	\$0	\$45,78,570
CPRA (HB 2 Projects)***	\$72,782,534	\$0	\$72,782,534*
<b>TOTAL IAT Exp. Category Req.</b>	<b>\$95,955,880</b>	<b>\$17,576,762</b>	<b>\$113,532,642*</b>
LOSCO	\$17,004,885	\$15,738,401	\$32,743,286
<b>TOTAL BA-7 Req.</b>	<b>\$112,960,765</b>	<b>\$33,315,163</b>	<b>\$146,275,928</b>

*\*The companion BA-7s as originally submitted does not balance to the requested IAT expenditure category included in the BA-7 request by DPS. Based upon the companion BA-7s for DNR and CPRA the total amount of funding DPS anticipates sending to these agencies is understated by a total of \$1,049,386. DNR is understated by \$276,000 as the total of its BA-7 request is \$296,000 (BA-7s #1F & #1G) and not \$20,000 and the amount of funding needed to be sent to CPRA for early restoration projects included in Act 25 (HB 2) is understated by \$773,386. Due to all of the companion BA-7s being correct, this BA-7 (#1A) should be increased by \$1,049,386 or expenditures within this request should be realigned to balance with the amount being expended by the partner state agencies.*

*\*\*LOSCO anticipates sending \$230,000 of Natural Resource Restoration Trust Fund resources to the Governor's Office of Coastal Activities in FY 15. According to the Governor's Office, there is no need for a companion BA-7 as they have excess FY 15 IAT budget authority available at this time to accept these funds.*

*\*\*\*Under the Early Restoration Settlement with the 5 impacted Gulf States and before the NRDA is completed, BP paid \$1 B total for the implementation of such projects of which Louisiana has access to approximately \$370 M. Depending upon the project, these funds will flow to either the CPRA, Wildlife & Fisheries or the National Oceanic & Atmospheric Administration (NOAA). The \$370 M will fund the following projects: outer restoration projects (\$318 M), marine fishing enhancement, research & science center project (\$22 M), oyster clutch project (\$15 M) and Lake Hermitage Marsh Creation project (\$13.9 M). This BA-7 request appropriates \$90.4 M of the \$370 M allocated to Louisiana.*

## II. IMPACT ON FUTURE FISCAL YEARS

Approval of this BA-7 request will have no impact on future fiscal years.

## III. LEGISLATIVE FISCAL OFFICE RECOMMENDATION

The Legislative Fiscal Office recommends approval of this BA-7 request contingent upon DPS realigning its requested expenditures by reducing \$1,049,386 within other charges (LOSCO) and increasing its IAT expenditure category (companion BA-7s) in a like amount. According to DPS, realigning expenditures within this BA-7 request is anticipated to have no fiscal impact as the adjusted other charges are within historical expenditures.

To the extent DPS realigns the expenditures within this budget request, the updated amount of resources sent by DPS to the various state agencies is reflected below. The numbers that have changed from the previous table above are in **bold**.

**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
Approved By JLCB**

<b>Agency</b>	<b>Natural Resource Restoration Trust Fund</b>	<b>Oil Spill Contingency Fund</b>	<b>Total</b>
DEQ	\$18,587	\$681,513	\$700,100
<b>DNR</b>	<b>\$220,000</b>	<b>\$76,000</b>	<b>\$296,000</b>
WLF	\$2,105,023	\$881,172	\$2,986,195
CPRA	\$16,221,166	\$1,000,925	\$17,222,091
DOJ	\$0	\$15,013,152	\$15,013,152
Office of Coastal Activities	\$230,000	\$0	\$230,000
WLF (HB 2 Projects)	\$4,578,570	\$0	\$4,578,570
<b>CPRA (HB 2 Projects)</b>	<b>\$73,555,920</b>	<b>\$0</b>	<b>\$73,555,920</b>
TOTAL IAT Exp. Category Req.	\$96,929,266	\$17,652,762	\$114,582,028
LOSCO	\$16,031,499	15,662,401	\$31,693,900
TOTAL BA-7 Req.	\$112,960,765	\$33,315,163	\$146,275,928

**July 18, 2014**

**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
Approved By JLCB**

**DEPARTMENT:** Justice

**AGENDA NO.:** 1B

**AGENCY:** Attorney General

**ANALYST:** Travis McIlwain

<u>Means of Financing</u>		<u>Expenditures by Program</u>		<u>T. O.</u>
State General Fund:	\$0	Administrative	\$0	0
Interagency Transfers:	\$15,013,152	Civil Law	\$15,013,152	0
Self-Generated Revenue:	\$0	Criminal Law/Medicaid Fraud	\$0	0
Statutory Dedications:	\$0	Risk Litigation	\$0	0
Federal Funds:	\$0	Gaming	\$0	0
<b>Total</b>	<b><u>\$15,013,152</u></b>	<b>Total</b>	<b><u>\$15,013,152</u></b>	<b><u>0</u></b>

**I. SUMMARY/COMMENTS**

This BA-7 request is a companion to BA-7 #1A on the agenda. The purpose of this BA-7 request is to increase IAT budget authority in the amount of \$15,013,152 in order to receive monies from the Oil Spill Contingency Fund via the Department of Public Safety in order to perform duties associated the Deepwater Horizon event (April 20, 2010).

The requested funding will be utilized to provide for the ongoing BP litigation costs. The state is seeking recovery from BP for all expenditures incurred by the state in response to the oil spill and recovery for damages to Louisiana's economy and natural resources. Since FY 10 the Attorney General has expended approximately \$44.7 M on legal expenses due to the Oil Spill litigation (FY 10 - \$612,864, FY 11 - \$6.7 M, FY 12 - \$12.1 M, FY 13 - \$8.8 M, FY 14 - \$16.3 M).

Approximately \$14.4 M of this BA-7 request will be used to provide legal expenses and expert witnesses. Based upon information provided to the LFO by the Attorney General, there are approximately 20 active legal services and expert witness contracts in place currently for oil spill litigation.

The balance of the funding request (\$651,740) is for salaries (\$277,890), related benefits (\$116,850), travel (\$7,000) and other charges (\$250,000). The personal services costs (salaries - \$277,890, related benefits - \$116,850) will be incurred with existing agency personnel (5 to 10 individuals) who currently are working on multiple cases, including BP, all at one time. The \$250,000 of other charges expenditures are associated with discovery, filings, transcript and research charges.

Due to DPS being the lead agency for the State (as it contains the Oil Spill Coordinator's Office), state agencies submit reimbursement documents to DPS who then submit documents to the Federal Oil Spill Liability Trust Fund. Once the reimbursement request is approved, the funds are deposited in the Oil Spill Contingency Fund and DPS pays these funds to the various state agencies. According to DPS, NRDA specific reimbursement expenditures are paid from the Natural Resource Restoration Trust Fund.

**II. IMPACT ON FUTURE FISCAL YEARS**

Approval of this BA-7 request will have no impact on future fiscal years. However, the DOJ will likely incur ongoing legal costs in subsequent fiscal years until there either a trial or settlement. At this time, no trial date has been set.

**III. LEGISLATIVE FISCAL OFFICE RECOMMENDATION**

The Legislative Fiscal Office recommends approval of this BA-7 request.

**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
Approved By JLCB**

**DEPARTMENT:** Wildlife & Fisheries

**AGENDA NO.:** 1C

**AGENCY:** Management & Finance

**ANALYST:** Drew Danna

<u>Means of Financing</u>		<u>Expenditures by Program</u>		<u>T. O.</u>
State General Fund:	\$0	Management & Finance	\$800,000	0
Interagency Transfers:	\$800,000			
Self-Generated Revenue:	\$0			
Statutory Dedications:	\$0			
Federal Funds:	\$0			
<b>Total</b>	<b><u>\$800,000</u></b>	<b>Total</b>	<b><u>\$800,000</u></b>	<b><u>0</u></b>

**I. SUMMARY/COMMENTS**

This BA-7 request is a companion to BA-7 #1A on the agenda. The purpose of this BA-7 request is to increase IAT budget authority by \$800,000 in order to pay for anticipated expenditures and reimbursements resulting from the Deepwater Horizon oil spill incident. The Office of Management and Finance (OMF) has a professional services contract with Postlethwaite & Netterville (P&N) to assist in preparing reimbursement requests related to Pollution Removal Funding Authorization (PRFA) and Natural Resource Damage Assessment (NRDA) activities completed by the department. These requests are submitted to the Department of Public Safety (DPS).

The Department of Wildlife & Fisheries will budget these funds as follows:

Salaries - \$43,000 (2 positions to work with P&N in processing reimbursement requests)

Other Compensation - \$6,000 (2 WAE appointments)

Related Benefits - \$1,000 (retirement, Medicare, insurance)

Professional Services - \$750,000 (P&N contract for processing reimbursement requests for eligible expenses such as personnel costs, travel, supplies, and equipment maintenance)

Due to DPS being the lead agency for the State (as it contains the Oil Spill Coordinator's Office), state agencies submit reimbursement documents to DPS who then submit documents to the Federal Oil Spill Liability Trust Fund. Once the reimbursement request is approved, the funds are deposited in the Oil Spill Contingency Fund and DPS pays these funds to the various state agencies. According to DPS, NRDA specific reimbursement expenditures are paid from the Natural Resource Restoration Trust Fund.

**II. IMPACT ON FUTURE FISCAL YEARS**

Approval of this BA-7 request will have no impact on future fiscal years.

**III. LEGISLATIVE FISCAL OFFICE RECOMMENDATION**

The Legislative Fiscal Office recommends approval of this BA-7 request.



**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
Approved By JLCB**

**DEPARTMENT:** Wildlife & Fisheries

**AGENDA NO.:** 1D

**AGENCY:** Office of Fisheries

**ANALYST:** Drew Danna

<u>Means of Financing</u>		<u>Expenditures by Program</u>		<u>T. O.</u>
State General Fund:	\$0	Fisheries	\$6,078,965	0
Interagency Transfers:	\$6,078,965	Marketing	\$0	0
Self-Generated Revenue:	\$0			
Statutory Dedications:	\$0			
Federal Funds:	\$0			
<b>Total</b>	<b><u>\$6,078,965</u></b>	<b>Total</b>	<b><u>\$6,078,965</u></b>	<b><u>0</u></b>

**I. SUMMARY/COMMENTS**

This BA-7 request is a companion to BA-7 #1A on the agenda. The purpose of this BA-7 request is to increase IAT budget authority by \$1,500,395 to receive reimbursements from the Department of Public Safety (DPS) for Natural Resource Damage Assessment (NRDA) activities performed by the Office of Fisheries in response to the Deepwater Horizon oil spill incident. These activities include creating, implementing and monitoring the assessment of the damage to fisheries resulting from the spill. This funding will be used to provide consultant and advisory services on the conservation of LA's seafood industry and to develop and implement methods of protecting natural resources at risk, including consulting on boom placement. These funds will also be used to conduct field investigations to identify potential threats to fish habitats due to the unauthorized discharges of oil.

Additionally, this BA-7 requests authority for Early Restoration construction projects such as completion of an oyster hatchery and a marine science center in the amount of \$4,578,570. These projects will be completed by the Office of Facility Planning & Control. Total costs of the projects are estimated to be \$15 M for the oyster hatchery and \$22 M for the marine science center.

The Department of Wildlife & Fisheries will budget these funds as follows:

Salaries - \$306,000 (Due to no positions being dedicated completely to oil spill recovery within this agency, 54 existing agency personnel, who have multiple job duties, will have a portion of their salaries paid by these oil spill reimbursements)

Other Compensation - \$409,900 (Due to no other compensation positions being dedicated completely to oil spill recovery within this agency, 43 existing other compensation positions, who have multiple duties, will have a portion of their compensation paid by these oil spill reimbursements)

Related Benefits - \$468,086 (retirement, Medicare, insurance)

Travel - \$14,000 (Oil spill/NRDA related travel)

Operating Services - \$105,000 (rental vehicles, vehicle and boat maintenance, lab fees, cell phone and radio fees, hazing canon rentals)

Supplies - \$197,409 (vehicle fuel, boat fuel, maintenance supplies, office and laboratory supplies)

Interagency Transfers - \$4,578,570 (W&F transfer to capital outlay for \$3 M for a new oyster hatchery and \$1.5 M for a marine science center)

Due to DPS being the lead agency for the State (as it contains the Oil Spill Coordinator's Office), state agencies submit reimbursement documents to DPS who then submit documents to the Federal Oil Spill Liability Trust Fund. Once the reimbursement request is approved, the funds are deposited in the Oil Spill Contingency Fund and DPS pays these funds to the various state agencies. According to DPS, NRDA specific reimbursement expenditures are paid from the Natural Resource Restoration Trust Fund.

**II. IMPACT ON FUTURE FISCAL YEARS**

Approval of this BA-7 request will have no impact on future fiscal years.

**July 18, 2014**

**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
**Approved By JLCB****

**III. LEGISLATIVE FISCAL OFFICE RECOMMENDATION**

The Legislative Fiscal Office recommends approval of this BA-7 request.

**July 18, 2014**

**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
Approved By JLCB**

**DEPARTMENT:** Wildlife & Fisheries

**AGENDA NO.:** 1E

**AGENCY:** Office of Wildlife

**ANALYST:** Drew Danna

<u>Means of Financing</u>		<u>Expenditures by Program</u>		<u>T. O.</u>
State General Fund:	\$0	Wildlife	\$685,800	0
Interagency Transfers:	\$685,800			
Self-Generated Revenue:	\$0			
Statutory Dedications:	\$0			
Federal Funds:	\$0			
<b>Total</b>	<b><u>\$685,800</u></b>	<b>Total</b>	<b><u>\$685,800</u></b>	<b><u>0</u></b>

**I. SUMMARY/COMMENTS**

This BA-7 request is a companion to BA-7 #1A on the agenda. The purpose of this BA-7 request is to increase IAT budget authority in order to receive reimbursements from the Department of Public Safety (DPS) for Natural Resource Damage Assessment (NRDA) and Pollution Removal Funding Authorization (PRFA) activities as well as long term monitoring of the effects of the oil spill performed by the Office of Wildlife in response to the Deepwater Horizon oil spill incident. This funding will be used for monitoring of wildlife habitats and gather documentation of wildlife habitats impacted and assessing impacts from the unauthorized discharge of oil on fish and wildlife resources.

The Department of Wildlife & Fisheries will budget these funds as follows:

Salaries - \$179,000 (9 existing employees completely dedicated to oil spill recovery)

Other Compensation - \$264,000 (wages for job appointments, 15 biologists & 1 administrative position)

Related Benefits - \$153,000 (retirement, Medicare, insurance)

Travel - \$20,000 (Oil spill/NRDA/PRFA related travel)

Operating Services - \$43,500 (rental vehicles, maintenance of equipment)

Supplies - \$22,000 (vehicle fuel, boat fuel, maintenance supplies, office and laboratory supplies)

Professional Services - \$1,150 (percentage of fees for Postlethwaite & Netterville contract for preparation of reimbursement requests related to the Deepwater Horizon oil spill)

Other Charges - \$3,150 (Utilizing existing job appointments to assist in oil spill response)

Due to DPS being the lead agency for the State (as it contains the Oil Spill Coordinator's Office), state agencies submit reimbursement documents to DPS who then submit documents to the Federal Oil Spill Liability Trust Fund. Once the reimbursement request is approved, the funds are deposited in the Oil Spill Contingency Fund and DPS pays these funds to the various state agencies. According to DPS, NRDA specific reimbursement expenditures are paid from the Natural Resource Restoration Trust Fund.

**II. IMPACT ON FUTURE FISCAL YEARS**

Approval of this BA-7 request will have no impact on future fiscal years.

**III. LEGISLATIVE FISCAL OFFICE RECOMMENDATION**

The Legislative Fiscal Office recommends approval of this BA-7 request.



**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
Approved By JLCB**

**DEPARTMENT:** Natural Resources

**AGENDA NO.:** 1F

**AGENCY:** Coastal Management

**ANALYST:** Travis McIlwain

<u>Means of Financing</u>		<u>Expenditures by Program</u>		<u>T. O.</u>
State General Fund:	\$0	Coastal Management	\$121,000	0
Interagency Transfers:	\$121,000			
Self-Generated Revenue:	\$0			
Statutory Dedications:	\$0			
Federal Funds:	\$0			
<b>Total</b>	<b><u>\$121,000</u></b>	<b>Total</b>	<b><u>\$121,000</u></b>	<b><u>0</u></b>

**I. SUMMARY/COMMENTS**

This BA-7 request is a companion to BA-7 #1A on the agenda. The purpose of this BA-7 request is to increase IAT budget authority in order to receive monies from the Oil Spill Contingency Fund and the Natural Resource Restoration Trust Fund via the Department of Public Safety in order to perform duties associated the Deepwater Horizon event (April 20, 2010).

The \$121,000 anticipated expenditures are for salary, related benefits, travel and supply costs associated with Coastal Management Staff Scientists assisting the Department of Environmental Quality (DEQ) with resurveying the shorelines of the oil spill impacted areas, documenting oiling conditions, monitoring the cleanup operations, reviewing all Shoreline Inspection Reports and participating in weekly meetings with state and local officials to address issues brought to their attention by landowners. The total number of DNR staff scientists assigned to these functions is 4 individuals. However, the FTE equivalent of the workload of these individuals is 2. These scientists have other responsibilities within the department.

Due to DPS being the lead agency for the State (as it contains the Oil Spill Coordinator's Office), state agencies submit reimbursement documents to DPS who then submit documents to the Federal Oil Spill Liability Trust Fund. Once the reimbursement request is approved, the funds are deposited in the Oil Spill Contingency Fund and DPS pays these funds to the various state agencies. According to DPS, NRDA specific reimbursement expenditures are paid from the Natural Resource Restoration Trust Fund.

**II. IMPACT ON FUTURE FISCAL YEARS**

Approval of this BA-7 request will have no impact on future fiscal years.

**III. LEGISLATIVE FISCAL OFFICE RECOMMENDATION**

The Legislative Fiscal Office recommends approval of this BA-7 request.

**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
Approved By JLCB**

**DEPARTMENT:** Natural Resources

**AGENDA NO.:** 1G

**AGENCY:** Office of Secretary

**ANALYST:** Travis McIlwain

<u>Means of Financing</u>		<u>Expenditures by Program</u>		<u>T. O.</u>
State General Fund:	\$0	Executive	\$0	0
Interagency Transfers:	\$175,000	Management & Finance	\$175,000	0
Self-Generated Revenue:	\$0	Technology Assessment	\$0	0
Statutory Dedications:	\$0	Atchafalaya Basin	\$0	0
Federal Funds:	\$0	Auxiliary Account	\$0	0
<b>Total</b>	<b><u>\$175,000</u></b>	<b>Total</b>	<b><u>\$175,000</u></b>	<b><u>0</u></b>

**I. SUMMARY/COMMENTS**

This BA-7 request is a companion to BA-7 #1A on the agenda. The purpose of this BA-7 request is to increase IAT budget authority in order to receive monies from the Oil Spill Contingency Fund and Natural Resource Restoration Trust Fund via the Department of Public Safety in order to perform duties associated the Deepwater Horizon event (April 20, 2010).

The \$175,000 anticipated expenditures are administrative costs conducted by a contractor who provides accounting and record keeping support to the department and the Coastal Protection & Restoration Authority (CPRA) in collecting information and documentation for BP related projects submitted for reimbursement. This record keeping and financial tracking is necessary in order for DNR to receive reimbursement for the expenditures incurred for field operation staff at DNR and CPRA working in response to the BP Oil Spill.

Due to DPS being the lead agency for the State (as it contains the Oil Spill Coordinator's Office), state agencies submit reimbursement documents to DPS who then submit documents to the Federal Oil Spill Liability Trust Fund. Once the reimbursement request is approved, the funds are deposited in the Oil Spill Contingency Fund and DPS pays these funds to the various state agencies. According to DPS, NRDA specific reimbursement expenditures are paid from the Natural Resource Restoration Trust Fund.

**II. IMPACT ON FUTURE FISCAL YEARS**

Approval of this BA-7 request will have no impact on future fiscal years.

**III. LEGISLATIVE FISCAL OFFICE RECOMMENDATION**

The Legislative Fiscal Office recommends approval of this BA-7 request.

**LEGISLATIVE FISCAL OFFICE**  
**ANALYSIS OF BA-7 REQUEST**  
**Approved By JLCB**

**DEPARTMENT:** Executive

**AGENDA NO.:** 1H

**AGENCY:** Coastal Protection & Restoration

**ANALYST:** Travis McIlwain

<u>Means of Financing</u>		<u>Expenditures by Program</u>		<u>T. O.</u>
State General Fund:	\$0	Coastal Protection & Restoration Authority	\$17,222,091	0
Interagency Transfers:	\$17,222,091	Coastal Protection & Restoration Program	\$0	0
Self-Generated Revenue:	\$0	Coastal Protection & Restoration	\$0	0
Statutory Dedications:	\$0			
Federal Funds:	\$0			
<b>Total</b>	<b><u>\$17,222,091</u></b>	<b>Total</b>	<b><u>\$17,222,091</u></b>	<b><u>0</u></b>

**I. SUMMARY/COMMENTS**

This BA-7 request is a companion to BA-7 #1A on the agenda. The purpose of this BA-7 request is to increase IAT budget authority in the amount of \$17,222,091 in order to receive monies from the Oil Spill Contingency Fund (\$1,000,925) and Natural Resource Restoration Trust Fund (\$16,221,166) via the Department of Public Safety in order to perform duties associated the Deepwater Horizon event (April 20, 2010).

The requested \$17.2 M of additional budget authority is anticipated to be expended on the following:

\$316,028 Other Compensation - the agency currently has 7 Non-TO positions working on National Resource Damage Assessment (NRDA) projects. These positions are not in the agency's regular TO and will fluctuate between attorney positions and coastal scientists depending upon the needs of the agency. NRDA is an environmental investigation by the state to identify impacts to natural resources and plan restoration of natural resources as a result of oil spills and hazardous substances.

\$16,871,063 Other Charges - the majority of these anticipated expenditures (\$12.2 M) are associated with the operating expenditures (engineering, planning and environmental study costs) of the Early Restoration Projects that are not funded in Act 25 (HB 2). Act 25 (HB 2) only includes the project expenditures while Act 15 (HB 1) still includes the operating costs of the projects.

The remaining \$4.7 M of anticipated other charges expenditures are for potential contractor expenditures associated with NRDA assessment expenditures. Most of these contractors will likely be conducting water sample testing as well as maintaining all the data from these assessment tests. The \$4.7 M is a historical projection based upon prior year expenditures. The only known contractor in place currently is with an engineering firm who maintains all the data collections.

\$35,000 Travel, Operating Services and Supplies - various operating costs associated with staff attending several NRDA meetings (travel), audio visual needs for such meetings (operating services) and miscellaneous office supplies.

Due to DPS being the lead agency for the State (as it contains the Oil Spill Coordinator's Office), state agencies submit reimbursement documents to DPS who then submit documents to the Federal Oil Spill Liability Trust Fund. Once the reimbursement request is approved, the funds are deposited in the Oil Spill Contingency Fund and DPS pays these funds to the various state agencies. According to DPS, NRDA specific reimbursement expenditures are paid from the Natural Resource Restoration Trust Fund.

**Note:** Under the Early Restoration Settlement (early restoration projects) with the 5 impacted Gulf States and before the NRDA is completed, BP paid \$1 B total for the implementation of such projects of which Louisiana has access to approximately \$370 M. Depending upon the project, these funds will flow to either the CPRA, Wildlife & Fisheries or the National Oceanic & Atmospheric Administration (NOAA). The \$370 M will fund the following projects: outer restoration projects (\$318 M), marine fishing enhancement, research & science center project (\$22 M), oyster clutch project (\$15 M) and Lake Hermitage Marsh Creation project (\$13.9 M).

**July 18, 2014**

**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
Approved By JLCB**

**II. IMPACT ON FUTURE FISCAL YEARS**

Approval of this BA-7 request will have no impact on future fiscal years.

**III. LEGISLATIVE FISCAL OFFICE RECOMMENDATION**

The Legislative Fiscal Office recommends approval of this BA-7 request.

**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
Approved By JLCB**

**DEPARTMENT:** Environmental Quality

**AGENDA NO.:** 11

**AGENCY:** Environmental Compliance

**ANALYST:** Charley Rome

<u>Means of Financing</u>		<u>Expenditures by Program</u>		<u>T. O.</u>
State General Fund:	\$0	Environmental Compliance	\$647,373	0
Interagency Transfers:	\$647,373			
Self-Generated Revenue:	\$0			
Statutory Dedications:	\$0			
Federal Funds:	\$0			
<b>Total</b>	<b><u>\$647,373</u></b>	<b>Total</b>	<b><u>\$647,373</u></b>	<b><u>0</u></b>

**I. SUMMARY/COMMENTS**

The purpose of this BA-7 request (Companion to #1A) is to increase IAT budget authority in the amount of \$647,373 to receive monies from the Oil Spill Contingency Fund from the Department of Public Safety (DPS) to perform long-term targeted shoreline monitoring and mitigation activities associated with Pollution Removal Funding Authorization (PRFA) resulting from the Deepwater Horizon oil spill event (April 20, 2010).

Environmental scientists and environmental scientist supervisors in the Office of Environmental Compliance will provide the following field monitoring services with \$582,360 in funding requested in this BA-7: 1) Participate in field monitoring teams to observe and document oil residue on the beaches and in vegetation. 2) Assist and collaborate in documentation of field observations with BP Personnel. 3) Report daily observations. 4) Assist in scheduling field personnel. Funding for field monitoring services includes the following components: salaries and related benefits for 7 employees (\$399,360), travel (\$84,000), and supplies (\$99,000). In salaries and related benefits, \$277,204 represents reimbursements of base pay and benefits to these 7 employees and \$122,150 represents overtime pay and benefits.

Environmental scientists in the Office of Environmental Compliance will also provide the following technical review/assistance services with \$65,013 in funding requested in this BA-7: 1) Assist with the review of field monitoring results/data. 2) Assist with scheduling field personnel. 3) Provide other assistance as requested. Funding for technical review/assistance services includes \$65,013 for salaries and related benefits for 2 employees. Of this amount, \$45,127 represents reimbursements of base pay and benefits to these 2 employees and \$19,886 represents overtime pay and benefits.

Due to DPS being the lead agency for the State (as it contains the Oil Spill Coordinator's Office), state agencies submit reimbursement documents to DPS who then submit documents to the Federal Oil Spill Liability Trust Fund. Once the reimbursement request is approved, the funds are deposited in the Oil Spill Contingency Fund and DPS pays these funds to the various state agencies. According to DPS, NRDA specific reimbursement expenditures are paid from the Natural Resource Restoration Trust Fund.

**II. IMPACT ON FUTURE FISCAL YEARS**

Approval of this BA-7 request will have no impact on future fiscal years. DEQ does not anticipate providing these field monitoring and technical review/assistance services past FY 15.

**III. LEGISLATIVE FISCAL OFFICE RECOMMENDATION**

The Legislative Fiscal Office recommends approval of this BA-7 request.

**July 18, 2014**

**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
Approved By JLCB**

**DEPARTMENT:** Environmental Quality

**AGENDA NO.:** 1J

**AGENCY:** Environmental Services

**ANALYST:** Charley Rome

<u>Means of Financing</u>		<u>Expenditures by Program</u>		<u>T. O.</u>
State General Fund:	\$0	Environmental Services	\$34,867	0
Interagency Transfers:	\$34,867			
Self-Generated Revenue:	\$0			
Statutory Dedications:	\$0			
Federal Funds:	\$0			
<b>Total</b>	<b><u>\$34,867</u></b>	<b>Total</b>	<b><u>\$34,867</u></b>	<b><u>0</u></b>

**I. SUMMARY/COMMENTS**

The purpose of this BA-7 request (Companion to #1A) is to increase IAT budget authority in the amount of \$34,867 in order to receive monies from the Oil Spill Contingency Fund from the Department of Public Safety in order to perform long-term targeted shoreline monitoring and mitigation activities associated with Pollution Removal Funding Authorization (PRFA) resulting from the Deepwater Horizon oil spill event (April 20, 2010).

Environmental scientists and environmental scientist supervisors in the Office of Environmental Services will provide the following field monitoring services with funding requested in this BA-7: 1) Participate in field monitoring teams to observe and document oil residue on the beaches and in vegetation. 2) Assist and collaborate in documentation of field observations with BP Personnel. 3) Report daily observations. 4) Assist in scheduling field personnel. Funding for field monitoring services includes the following components: salaries and related benefits for overtime pay for 2 employees (\$28,067), travel (\$1,800), and supplies (\$5,000).

Due to DPS being the lead agency for the State (as it contains the Oil Spill Coordinator's Office), state agencies submit reimbursement documents to DPS who then submit documents to the Federal Oil Spill Liability Trust Fund. Once the reimbursement request is approved, the funds are deposited in the Oil Spill Contingency Fund and DPS pays these funds to the various state agencies. According to DPS, NRDA specific reimbursement expenditures are paid from the Natural Resource Restoration Trust Fund.

**II. IMPACT ON FUTURE FISCAL YEARS**

Approval of this BA-7 request will have no impact on future fiscal years. DEQ does not anticipate providing these field monitoring and technical review/assistance services past FY 15.

**III. LEGISLATIVE FISCAL OFFICE RECOMMENDATION**

The Legislative Fiscal Office recommends approval of this BA-7 request.

**July 18, 2014**



**LEGISLATIVE FISCAL OFFICE  
ANALYSIS OF BA-7 REQUEST  
Approved By JLCB**

**DEPARTMENT:** Environmental Quality

**AGENDA NO.:** 1K

**AGENCY:** Management & Finance

**ANALYST:** Charley Rome

<u>Means of Financing</u>		<u>Expenditures by Program</u>		<u>T. O.</u>
State General Fund:	\$0	Support Services	\$17,860	0
Interagency Transfers:	\$17,860			
Self-Generated Revenue:	\$0			
Statutory Dedications:	\$0			
Federal Funds:	\$0			
<b>Total</b>	<b><u>\$17,860</u></b>	<b>Total</b>	<b><u>\$17,860</u></b>	<b><u>0</u></b>

**I. SUMMARY/COMMENTS**

The purpose of this BA-7 request (Companion to #1A) is to increase IAT budget authority in the amount of \$17,860 in order to receive monies from the Oil Spill Contingency Fund from the Department of Public Safety (DPS) in order to perform long-term targeted shoreline monitoring and mitigation activities associated with Pollution Removal Funding Authorization (PRFA) resulting from the Deepwater Horizon oil spill event (April 20, 2010).

Personnel in the Office of Management and Finance will provide the following services with funding provided in the requested BA-7: track incident cost and travel reimbursement for staff related to PRFA activities, prepare reimbursement documents for submittal to DPS, prepare PRFA amendment requests, and audit timesheets and equipment/vehicle logs. All funding in this BA-7 request is for salaries and related benefits for overtime pay for 5 employees of DEQ staff in the Office of Management and Finance.

Due to DPS being the lead agency for the State (as it contains the Oil Spill Coordinator's Office), state agencies submit reimbursement documents to DPS who then submit documents to the Federal Oil Spill Liability Trust Fund. Once the reimbursement request is approved, the funds are deposited in the Oil Spill Contingency Fund and DPS pays these funds to the various state agencies. According to DPS, NRDA specific reimbursement expenditures are paid from the Natural Resource Restoration Trust Fund.

**II. IMPACT ON FUTURE FISCAL YEARS**

Approval of this BA-7 request will have no impact on future fiscal years. DEQ does not anticipate providing these PRFA cost/tracking past FY 15.

**III. LEGISLATIVE FISCAL OFFICE RECOMMENDATION**

The Legislative Fiscal Office recommends approval of this BA-7 request.

**July 18, 2014**